## UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

CARDINAL ELECTRIC AND RENOVATION, LLC, AND BB ELECTRICAL, INC. AND 3 RIVERS ELECTRICAL CONTRACTING, LLC, as Alter Egos and/or Single Employer

and Case 14-CA-30392

INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL 309

and Case 14-CA-30393

INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL 1

## ORDER

The Employers' petition to revoke subpoena ad testificandum A-884613 and subpoena duces tecum B-575218 is denied. The subpoenas seek information relevant to the matters under investigation and describe with sufficient particularity the evidence sought, as required by Section 11(1) of the Act and Section 102.31(b) of the Board's Rules and Regulations. Further, the Employer has failed to establish any other legal basis for revoking the subpoenas.<sup>1</sup> See generally *NLRB v. North Bay Plumbing, Inc.* 

<sup>&</sup>lt;sup>1</sup> Member Hayes joins in denying the petition to revoke the subpoena duces tecum. With respect to the subpoena ad testificandum at issue, he would hold the petition in abeyance for thirty days following the Employers' compliance with the subpoena duces tecum to provide the Region an opportunity to file a supplemental opposition explaining what further evidence is necessary to determine if a complaint should issue, and why such evidence can only be obtained through the testimony of the Employers' agents.

102 F.3d 1005 (9th Cir. 1996); *NLRB v. Carolina Food Processors, Inc.*, 81 F.3d 507 (4th Cir. 1996).

Dated, Washington, D.C., October 13, 2011.

MARK GASTON PEARCE, CHAIRMAN

CRAIG BECKER, MEMBER

BRIAN E. HAYES, MEMBER